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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,076	01/28/2004	Hsu-Ping Tseng	025789-00006	9811
7590 01/07/2008 ARENT FOX KINTNER PLOTKIN & KAHN, PLLC Suite 400 1050 Connecticut Avenue, N.W. Washington, DC 20036-5339			EXAMINER CHIEN, LUCY P	
			ART UNIT 2871	PAPER NUMBER
			MAIL DATE 01/07/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/765,076	TSENG ET AL.	
	Examiner	Art Unit	
	Lucy P. Chien	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 October 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 3-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 January 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/16/2007</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claim 1,3-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,3,4,6,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai (US 6219119) in view of Katsu et al (US 6597427).

Regarding Claim 1,6,7,

Nakai discloses (Fig. 16) a substrate (13); a least one protrusion (1) on a face of the substrate (13); and a light reflective layer (5) deposited adjacent to the protrusion (1), wherein the protrusion (arcuate) amplifies light reflection intensity (Fig. 2) when light is reflected off the light reflective layer (5).

Nakai does not disclose the reflective layer comprising programmable code information.

Katsu et al discloses (abstract and Column 8, rows 56-59) a reflective programmable code information device (identification mark).

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It would have been obvious to one of ordinary skill in the art to modify Nakai to include Katsu et al's a reflective programmable code information device motivated by the desire to accurately specify a position on a flat display (Column 3, rows 45-55).

Regarding Claim 3,

In addition to Nakai and Katsu et al as disclosed above, Katsu discloses the programmable code information comprises at least one position sensing code (Column 3, rows 45-55).

Regarding Claim 4,

In addition to Nakai and Katsu et al as disclosed above, Katsu discloses the light reflective layer (identification mark) is disposed on a surface of the light shielding layer (black matrix) (Column 6, rows 56-58).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakai (US 6219119) and of Katsu et al (US 6597427) in view of Moon (US 6661485).

Nakai and Katsu et al disclose everything as disclosed above.

Nakai and Katsu et al do not disclose a plurality of color filters, wherein the plurality of color filters are disposed between the light shielding layer and between the light reflective layer.

Moon discloses (fig. 5) the plurality of color filter (132) is disposed between the light shielding layer (black matrix) (134) and a light reflective layer (it is known in the art that the pixel electrode can be reflective 138).

It would have been obvious to one of ordinary skill in the art to modify Nakai and Katsu et al to include a color filter taught by Moon to provide a display that display's color light.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucy P. Chien whose telephone number is 571-272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lucy P Chien
Examiner
Art Unit 2871


ANDREW SCHECHTER
PRIMARY EXAMINER